

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

ROBERT HOWELL, #42969-080,)
vs.)
Plaintiff,)) Civil Action No.: 4:07-230-TLW-TER
vs.)
M. PETTIFORD, WARDEN;)
LUIS BERRIOS, CLINICAL DIRECTOR;)
AND JULIA BERRIOS, MEDICAL)
OFFICER,)
Defendants.)

)

ORDER

Plaintiff, Robert Howell, (“plaintiff”) brought this civil rights action under 42 U.S.C. § 1983, as a prisoner proceeding *pro se* against defendants Warden, M. Pettiford; Clinical Director, Luis Berrios; and Medical Officer, Julia Berrios (“defendants”) all employed at the Federal Correctional Institute in Bennettsville, South Carolina. (Doc. #1). The defendants filed a motion for summary judgment on August 29, 2007. (Doc. #18). On September 6, 2007, plaintiff was provided a copy of the motion and was given an explanation of the summary judgment procedure as well as pertinent extracts from 56 of the Federal Rules of Civil Procedure as required by Rosoboro v. Garrison, 528 F.2d 309 (4th Cir. 1975). (Doc. #19). On October 4, 2007, the plaintiff filed a response to the defendants’ motion for summary judgment. (Doc. #22). This matter now comes before this Court for review of the Report and Recommendation (“the Report”) filed by United States Magistrate Judge Thomas E. Rogers, to whom this case had previously been assigned. (Doc. #35). In the Report, Magistrate Judge Rogers recommends that the District Court grant summary judgment in

favor of the defendants and that the action be dismissed. (Doc. #35). Objections to the Report were due February 19, 2008. The plaintiff has filed no objections to the Report.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge's Report and Recommendation to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

The Court has carefully reviewed the Magistrate Judge's Report and Recommendation. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report and Recommendation is **ACCEPTED** (Doc. #35) and the defendants' motion for summary judgment is **GRANTED IN ITS ENTIRETY** (Doc. #18) and the matter is **DISMISSED**.¹

IT IS SO ORDERED.

S/Terry L. Wooten

Terry L. Wooten
United States District Judge

March 4, 2008
Florence, South Carolina

¹Additionally, as recommended by the magistrate judge, all other outstanding motions are deemed **MOOT**.